**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,	)	
	)	**8:15CR158**
Plaintiff,	)	
	)	
vs.	)	**ORDER**
	)	
JAMES S. CODER,	)	
	)	
Defendant.	)	

This matter is before the court on the motion to continue by defendant James S. Coder (Coder) (Filing No. 27). Coder seeks a continuance of the trial of this matter which was scheduled for July 5, 2016. Coder's counsel represents that Coder will file an affidavit whereby Coder consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Coder's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1.   Coder's motion to continue trial (Filing No. 27) is granted.

2.   Trial of this matter is re-scheduled for **August 22, 2016,** before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **June 24, 2016, and August 22, 2016,** shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 24th day of June, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge